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A P P E A R A N C E S:

THE COMMISSION:

COMMISSIONER ANN WILSON
COMMISSIONER KATHRYN HEIN
COMMISSIONER ANGELA MC KENZIE

Hearing Examiner: Rudolph Konrad

For the Milwaukee Police Department:

MILWAUKEE DISTRICT ATTORNEY'S OFFICE
By: ROBIN A. PEDERSON
200 E. Wells Street #800
Milwaukee, Wisconsin 53202

The Appellant in Person and By:

GIMBEL REILLY GUERIN BROWN, LLP.
By: STEVEN C. MC GAVER
Two Plaza East
330 E. Kilbourn Avenue #1170
Milwaukee, Wisconsin 53202

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1 to write everything down on a piece of paper and a lot
2 of persistent issues involving my head.

3 Q You were interviewed by Sergeant Zieger in the course of
4 the investigation. Correct?

5 A I was.

6 Q Did you tell Sergeant Zieger the same story you told
7 here today?

8 A Yes.

9 Q Is there anything else you want to make sure that the
10 Commission knows about this situation?

11 A Yes. I believe that as Sergeant Zieger said, I called
12 a lieutenant a liar in my memo and I did, and I mean it,
13 because the things that he said happened, they did not
14 happen, and the treatment that I got was directly
15 related to some of these memos that I submitted because
16 the bottom line is the fair treatment of women in this
17 department, specifically Melanie Beasley at that
18 district, which I have -- I have more than these memos
19 here that I have handed in. This investigation is a
20 direct result of that. I believe it is complete
21 retaliation for me trying to help another female out at
22 a district who was sexually assaulted by another member
23 and the only people on this scene of mine where I was
24 hurt and injured and in a close-to-fatal accident TAC
25 members who made these statements saying that I was

1 saying that, but none of those TAC members have ever
2 written a report. Sergeant Riley isn't even here today
3 and if he is a supervisor on scene saying these people
4 said that, then, where is that sergeant holding those
5 people accountable for those things -- for them to be
6 interviewed by detectives so that they could come to the
7 truth? A simple investigation like this? The first
8 people that I would have you can talked to -- which I
9 have been a detective since 2005 -- would have been to
10 talk to Melanie Beasley.

11 MR. PEDERSON: I object at this
12 point. I think this is running far afield and is
13 a narrative --

14 THE WITNESS: It is not. This is
15 exactly what it is about.

16 MR. KONRAD: If you could sum up,
17 I would appreciate it.

18 A If I was going to investiate the scene, it would have
19 been Melanie Beasley and my son and Juanita Carr.
20 They would have been separated from each other and
21 immediately talked to and you would have had the answers
22 to what happened. There would be no hearsay.

23 MR. KONRAD: Let me ask you this.
24 I read the lieutenant's report several times and it
25 appears to me he didn't come to the conclusion that you

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STATE OF WISCONSIN)
)
COUNTY OF MILWAUKEE)

I, SUSAN K. TAYLOR, do hereby certify
that I am a stenographic reporter; that I was present at
the hearing in the above entitled action, and that I
recorded the same in shorthand; that the above and
foregoing is a true, correct and exact copy, in
longhand, of my shorthand notes taken at said hearing.

Dated this day of 2016

SUSAN K. TAYLOR
Court Reporter

BEFORE THE

MILWAUKEE FIRE AND POLICE COMMISSION

In Re the Appeal of:

MPD Personnel
Order No. 2015-150

SHANNON LEWANDOWSKI

VOLUME II

MILWAUKEE POLICE & FIRE COMMISSION

Ann Wilson
Kathryn Hein
Angela McKenzie

Hearing Examiner: Rudolph Konrad

HEARING HELD:

TRANSCRIPT PAGES

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200 E. Wells Street
Milwaukee, Wisconsin

EXHIBITS IDENTIFIED:

14 - 21

Date: August 11, 2016

EXHIBITS ADMITTED:

14 - 21

SUSAN K. TAYLOR

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COURT REPORTER

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1 absolutely -- Sergeant Riley isn't here, Sergeant Zieger
2 didn't seek those people out to find out who were those
3 people on the scene who heard me say those statements?
4 So yes, I find it troubling that I am responsible for
5 somebody else's assignment according to how your ques-
6 tioning goes, but here, the most important thing is
7 something that I am saying and being held accountable
8 to have someone get my son and those officers didn't
9 write a report and we don't even know who they are.

10 Q What else is unusual about the fact that the TAC
11 officers were there and what they did to you?

12 A I don't think there is much else that I remember.

13 Q Didn't you testify yesterday that you believe that they
14 were making up the story regarding your statements about
15 wanting to go to your son at UWM as part of a retalia-
16 tion toward you? Wasn't that your testimony?

17 A My testimony wasn't that they made it up. My testimony
18 is that they said it and there was no reports done, no
19 questioning of them and the TAC officers that did show
20 up, I recognized them from TAC. I don't know their
21 names. There is no report done and at the same time, I
22 am responding to Melanie Beasley at District 5 for the
23 exact same problem of a TAC officer who had sexually
24 assaulted her, with a valid temporary restraining order
25 filed at her district, yet she was getting no help from

1 supervision there and it is kind of ironic that I am
2 being disciplined for hearsay when I am asking those TAC
3 officers who were at the scene to write that report and
4 be interviewed, like, I want them to tell exactly what I
5 said and tell the truth. It is not available. So I am
6 going to go see Melanie and for some reason, there is no
7 exigency of going to help a female officer who had been
8 sexually assaulted at the district. Apparently, that is
9 not important to this department.

10 Q When did this alleged sexual assault occur?

11 A You would have to ask Melanie Beasley on that. However,
12 I do know that October 5, 2014, I told Lieutenant Hanley
13 and, then, Lieutenant Hanley looked his picture up on
14 the computer to see who I was talking about. Then, I
15 gave the IP address of that computer to Sergeant Zieger
16 so he could see that he did look it up and that somehow
17 got lost. Then, Melanie Beasley told Lieutenant Timothy
18 Leitzke for an hour on November 11 and told -- for an
19 hour and ten minutes about how she was sexually
20 assaulted, harassed and threatened by a TAC member of
21 the department, and he has not done anything about it.
22 Then she went to --

23 Q Let me stop you there.

24 MR. KONRAD: This line of
25 questioning, you may continue it, but the whole premise

1 BY MR. PEDERSON:

2 Q So is it your testimony today that the TAC officers were
3 involved in a conspiracy and retaliation against you due
4 to the whole situation with Melanie Beasley's accusa-
5 tions and that whole thing? Is that your testimony?
6 I can't be any more plain than that.

7 MR. MC GAVER: Same objections. I
8 will reiterate my relevance objection. It is the same
9 question asked in a different manner.

10 MR. PEDERSON: It goes to her
11 credibility. She's provided this testimony. I should
12 be able to examine her on her credibility.

13 MR. KONRAD: I think it would
14 expose any bias she might have that might affect her
15 testimony, so go ahead.

16 BY MR. PEDERSON:

17 Q Is that your testimony?

18 A Can you rephrase or say this again?

19 MR. MC GAVER: It might be good to
20 have the court reporter read it back.

21 MR. PEDERSON: Sure.

22 (Question read)

23 A No. I said it appears that way. Here I am, asking
24 Internal Investigations to contact those TAC officers
25 who are on the scene that overheard me say that I was

1 going to UWM or to get my son, but all there is in the
2 report is hearsay and rumors at the district and I
3 wanted them to nail those people down and say, "hey,
4 what exactly did you hear? What exactly did you see her
5 -- her actions?" None of that was done. So yes, it
6 just seems quite funny. I am trying to get a fair
7 judgment here and I can't even get Internal to do
8 something fair for me.

9 MS. MC KENZIE: So, then, your issue
10 is with the process and not necessarily the information
11 at this time.

12 THE WITNESS: That is correct.

13 BY MR. PEDERSON:

14 Q Yesterday, you testified that you knew where your son
15 was. Right?

16 A That is not true.

17 Q What did you say, then?

18 A Depends when you are talking. When he called me first
19 or when he told me at the hospital?

20 Q Your testimony yesterday, my recollection, is at the
21 accident scene, you were trying to figure out where he
22 was and have somebody contact him and you were offering
23 these suggestions of different agencies where the police
24 might -- the officers around you might try to figure out
25 where he is. Do you recall that testimony?

1 MS. WILSON: Move to go into
2 closed session.

3 MR. KONRAD: Any objection?

4 MS. MC KENZIE: I don't have any.
5 I second.

6 MS. HEIN: No objection.

7 MR. KONRAD: No objection, then,
8 we will now go into closed session for purposes of
9 deliberations. It is now 12:30. We will convene at
10 1:25, or would you like to reconvene later?
11 (Discussion off the record)

12 MR. KONRAD: I will tell the other
13 participants to be here by 1:25, one hour from now.
14 (Closed session deliberations)

15 MR. KONRAD: We are back in
16 session. After deliberation for Phase I of the
17 proceedings, we thank counsel for their hard work in
18 presenting the evidence to us. After deliberation, the
19 members of the Commission have voted to sustain, by a
20 preponderance of the evidence, all three charges against
21 Detective Shannon Lewandowski.

22 I have also found, by a preponderance of
23 the evidence, that the first five "just cause" standards
24 are satisfied. Therefore, it is appropriate now to move
25 to Phase II of the proceedings.

1 of those.

2 MR. KONRAD: Those will be
3 admitted.

4 Anything further?

5 MR. MC GAVER: No. We rest.

6 MR. PEDERSON: No.

7 MR. KONRAD: All right. Thank
8 you. We will now deliberate in closed session in order
9 to determine whether the good of the service requires
10 the appellant be discharged or otherwise disciplined.

11 Do we have a motion to go into closed
12 session?

13 MS. HEIN: So move.

14 MS. MC KENZIE: Second.

15 MR. KONRAD: We have a motion and
16 second. Any objections? No objections heard, closed
17 session.

18 (Closed session deliberations)

19 MR. KONRAD: We are now back in
20 open session. The panel has concluded its deliberations
21 for Phase II. The members of the panel have decided
22 unanimously that the discipline of Detective Shannon
23 Lewandowski should be sustained in accordance chief's
24 order of discipline. To wit, the five-day suspension
25 for failure to use time to accomplish the mission.

1 30-day suspension for failure to driving a department
2 vehicle in a safe manner and discharge for failure to
3 be forthright and candid in an administrative inquiry
4 report.

5 Please note the ten-day rule referenced
6 in Fire and Police Commission Rule 16(10) (f) is being
7 waived and a written decision will be provided as soon
8 as practicable.

9 We stand adjourned at 3:05 p.m. Thank
10 you.

11 (WHEREUPON, THE PROCEEDINGS WERE ADJOURNED AT 3:05 P.M.)
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COUNTY OF MILWAUKEE)

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that I am a stenographic reporter; that I was present at
the hearing in the above entitled action, and that I
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Dated this day of 2016

SUSAN K. TAYLOR
Court Reporter